

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

RUSELL HOFF,

Plaintiff,

v.

POPULAR, INC., et al.,

Defendants.

Civil No. 09-1428 (GAG)

ORDER

The court hereby **GRANTS** plaintiff Pico and Puig-Rivera's Motion for Appointment as Lead Plaintiffs and for Approval of Selection of Lead and Liason Counsel (Docket No. 26).

Accordingly, the Court hereby:

1. Appoints plaintiffs Nilda Pico and Jose L. Puig-River as lead plaintiffs.
2. Appoints the law firm of Coughlin, Stoia, Geller, Rudman & Robbins LLP as lead counsel.
3. Appoints the law firm of A.W. Lopez, PSC, as liason counsel.

Individual counsel for lead counsel for lead counsel firm shall within ten days of this order file their pro-hac vice notices of appearance.

The court's previous order denying the appointment of counsel (Docket No. 31) is hereby vacated in light of this order.

The Court finds that a considerable percentage of the shares owned by the Bared group are held in trust. Neither the trustee nor the trust are parties to this consolidated action. More so, under the PSLRA, the trust or trustee is the proper party to bring suit on behalf of the beneficiaries.

Counsel for all plaintiffs have adduced a myriad of other reasons as to why the Bared plaintiffs should be or not be appointed lead plaintiffs. See Docket Nos. 26 and 41. The court finds it unnecessary to delve into those matters at this time, and has not considered them of any

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weight or lack thereof.

Finally, the court notes that the Bared Group's Rule 11 notice (Docket No. 42) itself violates Rule 11(c)(2). Accordingly, the same is stricken from the record. In regards to future pleadings, **ALL** counsel shall refrain from personal attacks and innuendo, and shall use language appropriate and worthy of officers of this court.

SO ORDERED.

In San Juan, Puerto Rico this 21st day of August 2009.

S/Gustavo A. Gelpí

GUSTAVO A. GELPI
United States District Judge